

Re: FRE 408 Conference - Settlement Conference

Igor Litvak <Igor@LitvakLawNY.com>

Tue 9/13/2022 4:47 PM

To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>

Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>

Hi Laura and Luke, I discussed with the Defendants, and they rejected your counteroffer, we have no settlement, and litigation continues. Igor.

Igor Litvak, Esq.
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From: Igor Litvak <Igor@LitvakLawNY.com>

Sent: Monday, September 12, 2022 3:20 PM

To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>

Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>

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Let me discuss with them your counteroffer, I will get back to you tomorrow with their position. Thank you.

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From: Luke Roniger <LRoniger@KSLAW.com>
Sent: Monday, September 12, 2022 2:08 PM
To: Igor Litvak <Igor@LitvakLawNY.com>; Laura Harris <lharris@kslaw.com>
Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>
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Igor, our counteroffer is the same as what we've previously discussed: We can resolve this case if your clients agree to make the preliminary injunction a permanent injunction. Please let us know if your clients agree to those terms.

Thank you,
Luke

From: Igor Litvak <Igor@LitvakLawNY.com>
Sent: Monday, September 12, 2022 11:47 AM
To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>
Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>
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CAUTION: MAIL FROM OUTSIDE THE FIRM

Do you want to at least make a counteroffer that I can take to my clients???

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From: Luke Roniger <LRoniger@KSLAW.com>
Sent: Monday, September 12, 2022 12:45 PM
To: Igor Litvak <Igor@LitvakLawNY.com>; Laura Harris <lharris@kslaw.com>
Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>
Subject: RE: FRE 408 Conference - Settlement Conference

Igor,

We reject your proposal. We will respond regarding discovery in due course.

Luke

From: Igor Litvak <Igor@LitvakLawNY.com>

Sent: Monday, September 12, 2022 8:48 AM

To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>

Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>

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Laura,

If we not settling the case please let me know. Also, you said you missing discovery and planning a motion to compel, please let me know what you missing so I can talk to my clients and maybe we will avoid a motion to compel, thank you.

Sincerely,

Igor Litvak, Esq.

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From: Igor Litvak <Igor@LitvakLawNY.com>

Sent: Thursday, September 8, 2022 10:32 AM

To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>

Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>

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Laura and Luke,

Defendants make the following offer

Defendants will provide to Google 1) Private Keys for ALL BTC addresses that are in any way connected to C2 of the alleged software that Google calls Glupteba, Defendants believe these private keys will allow Google to completely shut down the software for good (please note Defendants do not have these keys but Valtron agreed to provide them to the Defendants for the purpose of settlement); 2) Defendants will agree not to engage in similar conduct at any time in the future without admitting that they did anything wrong or illegal in the past.

Google will provide to Defendants 1) Dismiss the case against all the Doe Defendants; 2) Reimburse them for their attorneys' fees, which at this point equals \$110k; 3) Non-reporting provision to law enforcement & Google will stop referring to Defendants as criminals or cyber criminals in public; 4) \$1 million paid to each Defendant, for a total of \$2 million.

In terms of permanent injunction, I didn't discuss it with them but believe there is a good chance they will agree to it.

Sincerely,

Igor Litvak, Esq.
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From: Igor Litvak <Igor@LitvakLawNY.com>
Sent: Tuesday, September 6, 2022 3:05 PM
To: Luke Roniger <LRoniger@KSLAW.com>; Laura Harris <lharris@kslaw.com>
Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Paul Weeks <PWeeks@KSLAW.com>; Matthew Bush <mbush@kslaw.com>
Subject: Re: FRE 408 Conference - Settlement Conference

That works, thanks.

Igor Litvak, Esq.
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From: Luke Roniger <LRoniger@KSLAW.com>